

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference HUCF025PWO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2004/012382	International filing date (day/month/year) 02 November 2004 (02.11.2004)	Priority date (day/month/year) 11 November 2003 (11.11.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant HUCKFELDT & THORLICHEN GMBH & CO.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 19 September 2006 (19.09.2006)
	Authorized officer Yolaine Cussac e-mail: pt11@wipo.int

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference
HUCF025PWO

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/EP2004/012382	International filing date (day/month/year). 02.11.2004	Priority date (day/month/year) 11.11.2003
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International Patent Classification (IPC) or both national classification and IPC
A22C13/00, B65B9/12

Applicant
HUCKFELDT & THORLICHEN GMBH & CO.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis. I(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/012382

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/012382

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	3-7, 9-12	YES
	Claims	1, 2, 8	NO
Inventive step (IS)	Claims	3-7, 9-12	YES
	Claims	1, 2, 8	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations:

Concerning Point V.

1 In the present report, reference is made to the following document:

D1: DE 91 07 065 U1 (WILH. SOPP GMBH & CO KG, 5630 REMSCHEID, DE) 25 July 1991 (1991-07-25)

D2: DE 25 46278 A1 (WILH. SOPP GMBH & CO KG, 5630 REMSCHEID, DE) 3 March 1977 (1977-03-03)

D3: DE 19 51 889 U (FRITZ KUEPER) 15 December 1966 (1966-12-15)

2 The present application does not meet the requirements of PCT Article 33(1), because the subject matter of claim 1 is not novel (PCT Article 33(2)).

2.1 Document D1 discloses (the references in parentheses are to D1) a packaging casing, in particular a sausage casing, which consists of a knitted fabric or contains the latter as a reinforcement constituent and comprises at least one seam with a special release thread characterized in that said release thread loses its strength and stability during a treatment that is compatible with the packaging content or over time (page 2, 3; figure 1-3).

Therefore, the subject matter of claim 1 is not novel (PCT (Article 33(2))).

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

2.2 D1 also discloses a method for opening a casing, in particular a sausage casing, which consists of a knitted fabric or contains the latter as a reinforcement constituent and comprises at least one seam with a special release thread characterized in that it allows the loss of strength and stability of the release thread to take its course over time prior to opening the casing. Said loss of strength and stability takes place during a treatment that is compatible with the packaging content or over time (page 2, 3; figure 1-3).

Therefore, the subject matter of claim 8 is not novel (PCT Article 33(2)).

Documents D2 and D3 also disclose similar sausage casings and methods which also include the above-mentioned features.

2.3 Claim 2 does not contain any features which, in combination with the features of any claim to which it refers, meet the PCT requirements of novelty and inventive step (cf. D1, page 1).

3. The combination of features contained within dependent claims 3, 6 and 9 is neither known from nor suggested by the available prior art, since the prior art does not include any document describing a heat treatment or the use of a solvent in order to reduce the strength and stability of the special release thread. On the contrary, in the light of the available prior art, it can be expected from a person skilled in the art, to improve the release thread's resistance against such treatments.

The subject matter of claims 3, 6 and 9 is therefore novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)):

The claims 4, 5, 7, 10, 11 and 12 are dependent on the above-mentioned claims 3, 6 or 9 and therefore also meet the PCT requirements of novelty and inventive step.